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November 6, 2023

VIA ECF

Judge Denise L. Cote
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

*This schedule is
approved.
Denise Cote
11/7/23*

Re: ROWE PLASTIC SURGERY OF NEW JERSEY, L.L.C & EAST COAST PLASTIC SURGERY, P.C., against AETNA LIFE INSURANCE COMPANY; 1:23-cv-08529-DLC; PROPOSED CASE SCHEDULE

Your Honor:

Lewin & Baglio, LLP, represents the Plaintiff(s) Rowe Plastic Surgery Of New Jersey, L.L.C. ("Rowe") & East Coast Plastic Surgery, P.C. ("ECPS") (Collectively "The Providers"), in the above matter. We write together with Counsel for Defendant pursuant to this Court's order of October 10, 2023.

Counsel for Defendant has provided The Providers with an audio file of a phone conversation referenced in the Complaint. The Providers will file their Amended Complaint on or before November 13, 2023.

Defendant shall serve its Motion to Dismiss on or before 11/24/23. Plaintiffs will serve any opposition on or before 12/15/23. Defendant shall serve any Reply on or before 12/29/23.

The parties do not believe that settlement discussions will be fruitful at this juncture

Discovery shall proceed as follows:

Rule 26(a)(1) disclosures shall be exchanged 7 days prior to any initial conference.

The parties will not need to discuss producing Electronically Stored Information.

The Parties will prepare a Protective Order to be submitted for court approval

Initial documents requests and interrogatories shall be served by 1/5/2024.

4. All fact discovery to be completed (including disclosure of medical records) 4/4/2024.

5. Joint status report certifying close of fact discovery and indicating whether expert discovery is needed 4/18/2024/

Lewin & Baglio, LLP, is available at the Court's convenience.

Respectfully,

A handwritten signature in black ink, appearing to be "BK" with a flourish, representing Brendan J. Kearns.

By: Brendan J. Kearns

Lewin & Baglio, LLP

Attorneys for Plaintiff

CC: All Counsel via ECF